

TROMBADORE, CLAIRE

From: bradedward@aol.com
Sent: Tuesday, March 29, 2016 11:15 PM
To: dlott@epa.gov; TROMBADORE, CLAIRE; TenBrook, Patti; Rodriguez, Roberto; james_chang@schatz.senate.gov
Cc: garylhooser@gmail.com; tim.sandler@gmail.com; liz.brown@nbcuni.com; senruderman@capitol.hawaii.gov; sengreen@capitol.hawaii.gov
Subject: Hawaii Dept. of Agriculture's lack of regulation/Time for EPA to step in and takeover responsibilities
Attachments: Scott Enright 12_15_15.docx; Scott Enright 12-17-15 with notes.docx; Scott Enright 12-18-15 with notes.docx; Thomas Matsuda 11-2-15 with notes.docx; Thomas_Matsuda_Nov._13_10-20am with notes-2.docx; Lester Chin 12-3-15 with notes.docx; Dr. Brooks 12_16_15.docx

Follow Up Flag: Flag for follow up
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Aloha Don Lott and Claire Trombadore,

My name is Brad Edwards and I am with the group HOPE (Hawaii Opposition to Pesticide Exposure). I have been in regular contact with Pam Cooper, Patti TenBrook, and Roberto Rodrigues from the Region 9 EPA division. They have been aware for quite some time of the serious concerns about the Hawaii Department of Agriculture's ability to effectively uphold the responsibilities that the EPA has entrusted them to fulfill when it comes to regulating the use of Pesticides here in the state of Hawaii.

While I have been regularly working with the region 9 staff to address many of the concerns about the Hawaii Department of Agriculture, something has recently occurred that has made it necessary to take our concerns to the next level, which is why I am now contacting both of you. Scott Enright, the Director of the Hawaii Department of Agriculture, has been aware of multiple FIRFA violations for quite some time, but has failed to act. But more importantly, he has been aware of a specific violation that occurred in July 2014 where Monsanto continued to spray a federally banned Restricted Use Pesticide, Methyl Parathion (otherwise known as Penncap-M) in high winds on their fields all the way through July 2014 (and possibly beyond).

Both Scott Enright and Thomas Matsuda (the Head of the Pesticides Branch of the Hawaii Department of Agriculture) were informed of this serious violation back in November 2015. At a town hall meeting in February 2016, Scott Enright promised to obtain the spray logs from Monsanto for 2014 so that he could investigate the incident and issue fines/citations if appropriate. He asked that people send him the request in writing. Several members of the public officially asked him in writing to obtain the spray logs and open an investigation into the incident(s). He ended up denying all of the requests, stating that his Department does not hold that information.

This is where it gets interesting. Two weeks ago a group of concerned citizens/groups met privately with Governor Ige and Scott Enright at the State Capitol on Oahu. During that meeting (which was videotaped), Scott Enright was confronted about his denial of the written requests for him to obtain the spray logs from Monsanto for 2014 based on the fact that they were illegally spraying a federally banned RUP (Methyl Parathion). In December 2015, Scott Enright was provided with a spray log from July 2014 that was leaked from Monsanto, which showed that they had in fact sprayed Methyl Parathion on one of their fields in July 2014, despite the fact all sales and use of Methyl Parathion were banned nationwide as of December 31st, 2013.

During that meeting with the Governor and concerned groups/individuals, Mr. Enright is on record stating that he consulted with the Hawaii Attorney General's Office who told him that he did not have the power to request any spray logs from Monsanto. He claimed that there was nothing he could do, which is why he had to deny multiple requests from the public to obtain the spray logs. Despite the fact that both him and the Governor have been aware of this serious violation since at least December 2015 (and arguably earlier), he has failed to investigate it.

To make matters worse, Thomas Matsuda, the Director of the Pesticides Branch of the Hawaii DOA, is also on record stating that he is refusing to enforce known pesticide label violations by State and County agencies (see attached transcripts). Mr. Matsuda even told Pam Cooper from Region 9, that his office did not have the power to cite or fine other government agencies. So according to Mr. Matsuda and Mr. Enright, the State of Hawaii Department of Agriculture, does not have the power to investigate pesticide complaints or label violations or obtain spray logs, even when there is a known violation. And according to Mr. Enright, the Hawaii Attorney General's Office is providing the cover for them to abandon the responsibilities that the EPA has entrusted them with.

Because the State of Hawaii Department of Agriculture and it's leadership (on up to the Governor himself) have purposely decided to abandon their responsibilities when it comes to adequately regulating pesticide use in Hawaii, the US EPA has no alternative but to take over the regulatory responsibilities in our State to the protect public health of our residents and our children. Senator Brian Schatz has already informed the EPA Congressional Affairs Office of these serious concerns. It is now time to take action....otherwise we are in danger of becoming another Flint, Michigan.

Since our Department of Agriculture is refusing to enforce Federal Regulations, the EPA needs to come in and take over. Roberto Rodriguez, Patti TenBrook, and Pam Cooper all stated that the State of Hawaii Department of Agriculture has been on their watch list for almost 3 years....yet nothing has changed. In fact, Mr. Enright's and Mr. Matsuda's negligence has only increased.

I have attached the transcripts of recorded conversations with Mr. Enright, Mr. Matsuda, and Lester Chin (DOA Enforcement Officer on Maui who appears to be trying to convince an alleged victim of Pesticide Exposure to not get the tests that his Doctor was ordering) to this email. I have the original recordings for verification of the authenticity of the transcripts. There are many other concerns that I can fill you in on that are not included in this email including the fact that multiple homes on Maui have tested positive for chemical contamination, and the Hawaii DOA has failed to adequately investigate or close any of the cases (see Thomas Matsuda and Scott Enright transcripts). This has gone on far to long and the negative impacts to public health are very real. In addition, some of these allegations could be criminal in nature.

I look forward to hearing back from you and beg you to step in and assert your authority immediately.

Mahalo,
Brad Edwards
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